

1 UNITED STATES DISTRICT COURT  
2 DISTRICT OF NEVADA

3 Michael Hannah,

Case No.: 2:19-cv-00345-JAD-PAL

4 Plaintiff

5 v.

**Order**

6 Review Journal et al.,

[ECF Nos. 6, 8, 9]

7 Defendants

8 On March 11, 2019, the magistrate judge granted Plaintiff Michael Hannah's application  
9 to proceed *in forma pauperis*<sup>1</sup> and directed him to pay a partial filing fee.<sup>2</sup> Shortly after, Hannah  
10 filed a motion to inform the court of his indigent status and about his inability to pay the partial  
11 filing fee.<sup>3</sup> I deny the motion to inform but direct Hannah to file a new, fully-complete  
12 application to proceed *in forma pauperis* demonstrating his indigent status.

13 Hannah has also filed two motions to amend and has attached "amended complaints."<sup>4</sup>  
14 These documents are not fully amended complaints. Instead, these documents appear to be  
15 Hannah's way of adding supplemental claims to his original complaint. Because any amended  
16 complaint replaces any previously filed amended or original complaints, I deny Hannah's  
17 motions to amend as presented.<sup>5</sup> If Hannah desires to file an amended complaint, his amended

18  
19 <sup>1</sup> ECF No. 1 (application).

20 <sup>2</sup> ECF No. 5 (order).

21 <sup>3</sup> ECF No. 6 (motion).

22 <sup>4</sup> ECF Nos. 8, 8-1, 9, 9-1.

23 <sup>5</sup> See *Hal Roach Studios, Inc. v. Richard Feiner & Co., Inc.*, 896 F.2d 1542, 1546 (9th Cir. 1989) (holding that "[t]he fact that a party was named in the original complaint is irrelevant; an amended pleading supersedes the original"); see also *Lacey v. Maricopa Cnty.*, 693 F.3d 896, 928 (9th Cir. 2012) (holding that for claims dismissed with prejudice, a plaintiff is not required to reallege such claims in a subsequent amended complaint to preserve them for appeal).

1 complaint must contain all claims, defendants, and factual allegations that he wishes to pursue in  
2 this lawsuit; I will not piece documents together to determine Hannah's claims. Hannah also  
3 must file that amended complaint on this Court's approved prisoner civil-rights form and entitle  
4 it "First Amended Complaint."

### 5 **Conclusion**

6 Accordingly, IT IS HEREBY ORDERED that the motion to inform the courts of  
7 indigence [ECF No. 6] is **DENIED**.

8 IT IS FURTHER ORDERED that **Hannah has until May 30, 2019, to either: (1) file a**  
9 **fully complete application to proceed *in forma pauperis* on the correct form with complete**  
10 **financial attachments in compliance with 28 U.S.C. § 1915(a); or (2) pay the partial filing**  
11 **fee of \$8.83** as ordered by the magistrate judge on March 11, 2019. If Hannah fails to timely file  
12 an application or pay the partial filing fee, I will dismiss this case without prejudice.

13 IT IS FURTHER ORDERED that the motions to amend [ECF Nos. 8, 9] are **DENIED**  
14 without prejudice to Hannah's ability to file a fully complete amended complaint incorporating  
15 his additional claims by May 30, 2019. If Hannah fails to file a first-amended complaint by that  
16 date, the operative complaint for screening will be the pleading at ECF No. 1-1 only. If Hannah  
17 chooses to file an amended complaint, he must use the approved form and he will write the  
18 words "First Amended" above the words "Civil Rights Complaint" in the caption.

19 IT IS FURTHER ORDERED that the Clerk of the Court is directed to **SEND** to Hannah:

- 20 • the approved form application to proceed *in forma pauperis* by a prisoner, as well  
21 as the document entitled information and instructions for filing an *in forma*  
22 *pauperis* application; and  
23

- the approved form for filing a § 1983 complaint, instructions for the same, and copies of his original complaint and supplements (ECF Nos. 1-1, 8-1, 9-1).

Dated: April 30, 2019

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U.S. District Judge 